

PLANNING COMMISSION MINUTES  
FEBRUARY 4, 1992

Present: Dick Drescher, Vice Chairman, Presiding; Kathi Izatt, Don Milligan, Mark Green; Barbara Holt, City Council Rep.; Jack Balling, City Engineer; Jon Reed Boothe, Planning Director; Shirley Chevalier, Recording Secretary

Excused: Chairman Jeff Chretien, Elaine McKay, Mike Holmes, and Mick Johnson

Minutes of January 21, 1992 were unanimously approved as written.

**CONDITIONAL USE:**

2-4-92.5A 92-1C Three Duplex Units, 41 W. 1500 S., Grant Horsley  
Public Hearing January 21, 1992,  
Continuation

At its meeting on January 21st, Planning Commission tabled this item after staff's review of the plans showed they were lacking in many areas, advising Mr. Horsley to correct these problems, and final plans to be stamped by a licensed engineer or architect.

City Engineer Jack Balling has reviewed the plans and recommends approval subject to the following conditions:

1. Parking area needs to be enlarged to allow room for parking of vehicles;
2. Inlet box and outlet pipes are required for minimum run off;
3. A fence or wall needs to be addressed by the Planning Commission for the property lines;
4. The driveways have been relocated to not conflict with the pedestrian crossing, and has been approved by the Traffic Safety Committee;
5. The final plans must comply with all provisions of the building codes as adapted by Bountiful City;
6. Posting of a landscape bond and plan;
7. Payment of the sidewalk, curb and gutter fees for 1500 South;
8. Payment of the water and sewer connection fees, and installation of the laterals before April 1 to avoid conflict with construction on 1500 So.;
9. Payment of a storm detention fee in the amount of \$1,544.00, or provide storm detention on site as required by ordinance;
10. Payment of all required building fees.

Mr. Horsley presented drawings showing how the buildings had been relocated on the property, the parking arrangement, and the materials and colors that will be used. Mr. Horsley stated he would like to build one duplex at this time.

He talked to the neighbors to the west about what kind of fence they would like, and they suggested a wood fence. He plans on putting a fence across the back of the duplex that faces the street.

The parking access area needs to be widened out to 23 ft., and all parking must be behind the front setback.

The grading plan shows all finished elevations, the grades on the curbs, etc. There is no fill. They match the contour of the ground on the northwest. The west property line drains toward the street at 2% grade. With this information, some of the neighbors in attendance expressed some doubt as to the accuracy of the grading plan. Ed Ebert, 76 W. 1500 So., felt this was not correct. He stated that the level of the property itself, behind the sidewalk at the southwest corner, is probably 2-3 ft. below the level of the sidewalk.

Mr. Balling explained that these plans show the existing elevation in the NW corner is 100, and the SW corner is 96, giving a 4 ft. drop from the back to the front. The SE corner is 101, and the NE corner is 103. The east building will be set at 104.5 which is 1 ft. above the northeast corner. It will slope from 104.5 down to 96. From the building pad it has 8 ft. of drop to the street. Another building will be set at 102, which is 2 ft. above the southwest corner, and slopes out to the street. The natural elevation of the ground at that point is 101 on the east side. It has been surveyed and certified by Mr. Robert Eardley, a professional engineer, and meets the Uniform Building Code. Mr. Balling recommends the plan be verified. The engineer is responsible under State law to give accurate information.

Each duplex will have two 90 gallon garbage containers, and the garbage area will be screened. The container location on the plan is not acceptable and will have to be relocated.

Many neighborhood property owners who were at the public hearing January 21st, also attended this meeting, all of whom are against this proposal. The concerns were the same regarding privacy, drainage, crosswalk, number of units on the property, etc.

Kathi Izatt said she felt the fence should be built quickly all around the property to guarantee its being built, to protect adjacent property owners from construction dust, etc., and for privacy.

Before making a motion, Kathi said the grading plan should be reviewed to be sure the engineer has accurately represented to us the grades of the property. Based upon that review, the motion is to approve the front unit only at this time, subject to the fact that the road area along the side would be extended to take care of the parking adequately for the front unit; the garbage screening area be relocated according to the information from Mr. Balling; a 6 ft. high wooden fence surround the entire property (open to modification to that issue if the rest of the Commission disagrees); the material to be closely fitted so there are no gaps, and the fence to be constructed very early as the building is going up so that it is constructed well before the completion of the building itself; this entire project be subject to the 10 conditions listed above from City Engineer. Question on the motion by Mark Green - suppose the grading proves wrong? Kathi stated she would want it denied. Mark replied that even if it does drain backwards, it can be corrected. Kathi said she would want it back before the Planning Commission so we know for sure. Mark Green - second question on the motion - the fence needs to be resolved. He agrees with Kathi but feels it is a hardship to put on the Horsleys; he is inclined to say that the additional fence must be built if and when the other units are built, as long as he adequately

fences the first unit he will build.

Kathi modified her motion to say that the fencing would surround the first unit only. Mark Green seconded the motion.

Mr. Balling said Mr. Horsley is seeking approval for all three units even though he plans on building only one at this time. The motion is not covering what Mr. Horsley is asking for. If the Planning Commission is not approving all three, they ought to deny this and consider something else.

Kathi amended her motion: to deny three units on the property and approve the front one, subject to all the above conditions. He would have to wait one year and file a new application for the other two with a public hearing.

Mr. Balling said maybe the back two units should be tabled.

Kathi amended her motion to table the back two units; approve at this time only the front unit subject to all the conditions that have been discussed; i.e.,

1. If the engineering is wrong, the total project is denied and must be resubmitted;
2. A 6 ft. high wooden fence is to be built around the front duplex before the building is completed; that the material be closely fitted so there are no gaps;
3. Parking must be behind the front setback;
4. The garbage screening area to be relocated;
5. The 10 conditions outlined by City Engineer to be completed.

Mark Green seconded the motion; voting was unanimous.

2-4-92.2C Professional Office, 403 E. 400 N., Dr. Glenn Gold, Jr.

There is an existing red brick home on the NE corner of 400 East and 400 North, owned by Dr. Gold. He is requesting permission to use this home as his professional office. The landscaping, parking, and driveways exist. Staff sees no problem. This has been recently rezoned and approved.

Dr. Gold said he plans on using the property exactly as is. It will be a single doctor practice. He has no intention of enlarging the home or his practice by adding other doctors. When he retires, he visualizes two doctors being there for about a year for a changeover of the practice. He does not plan on having a sign, just an address.

Barbara Holt made a motion to approve the professional office at 403 E. 400 N. as proposed by Dr. Gold as stated above; Kathi Izatt seconded; voting was unanimous.

2-4-92.3C Upholstery Business, 145 W. 100 S., Don & Steven Coy

No plans had been presented to staff for review. Mr. Coy said he knows they need an architect, but they wanted to present some preliminary drawings and get approval. He said that without permission, they do not want to buy the property. Mr. Balling said they don't meet any of the requirements of the ordinance because there are no plans.

Dick Drescher said the Planning Commission cannot grant an approval or give a recommendation of approval without staff review of the site plan. The preliminary plans are to be submitted a week in advance of the meeting.

Mark Green made a motion to table this proposal subject to submittal of acceptable plans and information with adequate lead time for staff review; Don Milligan seconded the motion; voting was unanimous.

**MISCELLANEOUS :**

2-4-92.11A Seminary Building Addition, Viewmont High  
School Pass through; no action by Planning Commission necessary.

Mr. Balling stated this was a conditional use. The building is there and it is such a minor addition, staff, including City Attorney, decided it was not necessary to come back for another Conditional Use. This is being shown for Planning Commission information.